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SUBJECT: OIG REVIEW OF IMPACT OF REQUIRED REPORTING

REF: STATE 9541

11. (SBU) Embassy Bridgetown appreciates the OIG's interest in the impact of mandated reporting on Post resources and welcomes the opportunity to provide feedback. The 65 annual reports cited reftel tracks closely with our February, 2009 OIG inspection report, but in fact under-reports the number of annual reports we compile. Combining the reporting specifically requested by Congress and the reporting that must be done to feed into other Congressionally or institutionally mandated reporting, we compile for our six countries some 84 mandated annual reports (see attached list). Adding Embassy Grenada into the mix, whose single FTE officer processes ten annual reports, and the proliferation of overlapping annual resource planning documents such as the MSP, we prepare close to 100 mandated reports each year. With the five-member POL/ECON section responsible for the bulk of that reporting, this constitutes a crushing burden that significantly curtails our ability to produce timely political and economic analysis and in-depth reporting throughout the region. We would welcome a rationalization of this workload to free us up to do more pol/econ reporting and analysis, outreach, and commercial development in the region.

12. (SBU) While planning documents were not part of the reftel inquiry, we would urge the Department to look at a way to rationalize the annual CBJs, PPR reports, and MSPs, all of which track very similar data but have slightly different time horizons, and which require significant duplicative preparation efforts by State, AID, and (at this Post) MILGROUP personnel. It would also help to have clearer and complementary guidelines for these reports, as the data requests especially from the F bureau seem to change every year.

13. (SBU) Special Circumstances: This Embassy, with support from a one-officer Embassy in Grenada, is responsible for relations with seven countries. Under existing regulations, that means we are responsible for seven times the mandated reporting load of a typical Embassy. Moreover, we have no permanent presence in five of those countries, which means that we can only collect data and investigate HRR, TIP, and other reports during infrequent reporting trips, which are hindered by a lack of travel and representational funding. In addition, the Embassy has been without a full-time Narcotics Affairs Officer since 2006, this even though counter-narcotics is our number one MSP priority. This makes preparation of the INCSRs problematic and data collection difficult owing to a lack of established contact networks. This needs to be rationalized.

14. (SBU) We support the recent OIG recommendations for simplifying these many reporting requirements, whether by coordination of

deadlines, timelines, and guidelines, the preparation of an omnibus report once a year, or an amalgamation of mandated reports into logical subgroups. As the OIG noted, even though these countries have parliamentary democracies, clean elections, high respect for human rights and generally professional police forces, post "staggers under the load of annual reports,...each based on a separately defined statute and different reporting schedules and standards, some in conflict."

15. (SBU) Recommendations: A "short form" for these countries would be useful and save us significant drafting and editing time, especially as year-to-year changes are generally limited. With regard to TIP reporting, the Department should seriously reconsider the appropriateness of watchlisting these assistance-dependent micro-states absent a significant and unattended trafficking problem, as negotiating text and decisions with Washington takes up an inordinate amount of time and discredits the excellent anti-TIP work being done in real problem countries.

16. (SBU) Additional responses below keyed to questions in para 3 of reftel:

a. Which mandated reports require the most time and attention from Department personnel at your Embassy?

Our six human rights reports and fourteen INCSR reports take up the most time and attention for data gathering. The G/TIP report is by far the most resource-intensive, however, primarily the portion requiring negotiation with Washington over final text, which has involved the reporting officer, section chief, and Chief of Mission over the course of several months.

b. What section or unit is assigned responsibility for gathering information and preparing these reports?

The Pol/Econ section has the lead for all 84 reports. For the INCsRs, a Narcotics Affairs Office subordinated to Pol/Econ has primary responsibility. . In Grenada, the sole American officer and two LES specialists prepare the reports. These are reviewed by Bridgetown's Pol/Econ staff and DCM.

c. How many employees are involved in preparing and submitting each report? Please specify Department direct hire staff, local employees, eligible family members, contractors or other.

For the HRR, IRF, TIP, CBTPA, Transparency, Expropriation, Sugar Quota, and Libertad Act reports, each of three section officers is responsible for preparing the reports for two countries. They are assisted by the section's only LES and an RSO investigator as his time allows. The Embassy's protocol LES and the section's OMS also support the drafting process by producing diplomatic notes that must accompany requests for information in keeping with local practice. The section chief and Chief of Mission review the reports.

For the INCsRs, the NAS LES has primary responsibility for data collection with cooperation from the Barbados DEA office, LEGATT and IRS Investigator; the NAS LES and a Professional Associate Position EFM draft the responses, and the section chief and Chief of Mission clear them.

For the Child Labor reports (both versions) and the Labor and Child Labor portions of the HRR and TIP reports, the deputy section chief collects data and writes the reports; the section chief and Chief of Mission clear.

d. How many person hours (by report and employee category) are required to prepare each of the mandated reports? What proportion of the Embassy or Mission's total personnel or other resources does this represent?

In Barbados: difficult to pinpoint hours if we include data collection as part of the preparation time, as each officer and the sole pol/econ LES try to incorporate HRR, TIP, Labor and IRF data collection into every reporting trip to an off-island. Overall, we estimate that about 40 percent of the total person-hours of the pol/econ section are dedicated to mandated annual reporting, along with 7-10 percent of DEA, LEGATT, IRS, and RSO's time.

In Grenada, LES staff devoted approximately 12 hours to research and 12 hours to draft the HRR report. However, the LES staff also collects information throughout the year that facilitates subsequent research. The American Officer devoted approximately 24 hours to analyze, fact-check, revise and negotiate text with Washington. The other reports generally required 3 hours of work by LES to research, 5 hours of work by LES to draft, and approximately 4 hours of work by the American Officer to revise, analyze, fact-check and negotiate each report.

e. Does required reporting, as it is currently being produced, support and reinforce other mission goals or divert resources from them?

This is a mixed bag. The INCSR process is useful and contributes to our knowledge on narcotics and money laundering activities and government efforts - with a NAS in place, this would be even more useful. The HRR can be of occasional benefit, judiciously referred to, to encourage better responsiveness from and professionalization of local law enforcement, but is otherwise unremarkable as there are very few human rights concerns in the Eastern Caribbean. The TIP report has proven almost wholly counterproductive, threatening development assistance sanctions against countries that need it most and on the basis of non-specific allegations difficult to back up with facts. The disconnect between the tier status assigned and credible facts to back them up has had extremely negative implications for our overall mission goals in the region, and has negatively affected broad perceptions of the United States in the region. Our overall credibility and the credibility of our mandated reports as a whole have suffered as a result. We have expended enormous energy with Washington and host governments trying to rationalize this report, and we have ended up devoting far more time and effort to this than the issue warrants for the region, which in turn skews our reporting profile and keeps us from other reporting. It also has the unintended consequence of damaging our access to data sources once they feel they have been unfairly targeted, which makes it harder to collect data for other reports.

Other reports are duplicative and/or overlapping, especially Child Labor reporting, which we do four times for four separate but very similar reports. Transparency Reports have similarly eaten up a disproportionate share of resources recently, with what we believe to be little justification and even less practical effect aside from delaying much-needed training opportunities for local law enforcement. In Grenada, manpower constraints result in the annual reports providing most of post reporting on a particular theme.

f. What resource measures has the Embassy taken (redirecting personnel to this instead of other duties, hiring additional local staff or eligible family members, requesting additional fulltime positions) to fulfill requirements for mandated reporting?

In the absence of a full-time NAS funded by INL, we have hired an EFM under the Professional Associates Program to staff the NAS position and we have requested a new NAS in every MSP starting in 2007. In addition, the duties of the NAS procurement assistant were expanded to include more data collection and drafting responsibilities for the INCSR. In October, 2007, Pol/Econ hired an LES to assist with all six portfolios (there was not an LES position for Pol/Econ previously). Also in October, 2007, the section was reorganized along geographic vice functional grounds, which streamlined the reports process somewhat. The Embassy has consistently requested additional funding for travel and representational expenses to allow us to travel to the five countries where we have no permanent presence, so far with very modest results. We also requested an additional position in the IRS investigator's office, which will help speed data collection and clearance of the INCSR (part 2).

Grenada: None when there is someone (often EFM) in the NAS position. In 2006 and 2007, the LE staff spent about 10 hours collecting and reviewing data, while the officer spent 30-40 hours, drafting the questionnaires (LE staff from NAS office sent the GOG incomplete lists of questions to be answered) and drafting the reports, responding to Bridgetown queries, and finalizing the reports. Should the NAS position continue to be filled, Grenada will do less on these reports. However, in 2008, Bridgetown NAS requested assistance from Grenada LE staff in getting the response from the GOG; this amounted to perhaps two to three hours work.

g. Which parts of the process (information gathering, analysis, drafting, internal editing, negotiation of text with Washington) consume the most resources?

Answered above. In addition, the multiple iterations of the HRR and TIP report add significantly to preparation time.

h. How clear and helpful are Department instructions for preparing each of these reports?

Directions appear confusing to staff members who do not follow a particular issue on a continuing basis. Minor changes in directions each year, without clear guidance on the changes, itself requires re-reading the entire set up instructions, which exacerbates the confusion. The TIP report has considerable flaws in methodology, evidentiary standards, and burden of proof issues. This undermines posts' ability to explain the process and can confuse not only staff but also host government officials about what is wanted.

i. What percentage of the Embassy's overall reporting on an issue such as human rights or trafficking in persons does the annual required draft represent? Does your post submit reporting cables on these issues throughout the year, or gather and discuss information but submit it formally primarily in the required annual draft?

Given the volume of mandated reporting, we have little time to do any spot or analytical reporting on these issues. What little time we do have is spent on travel to our off-islands, outreach, other pol/econ reporting for seven countries, visitor support,

representation, etc. In Grenada, such reports generally consist of 80-90 percent of post reporting on particular issues.

j. Do other mission agencies besides the Department make significant contributions to the preparation of mandated reporting in these areas?

Answered above - DEA, IRS, LEGATT, and RSO all contribute to one or more of our reports. Washington counterparts could usefully contribute to the process by raising issues they spot in the media through the course of the year for us to follow up, as there are many demands on our time. Grenada frequently taps Embassy Bridgetown and its agencies for guidance, assistance, review and negotiation of reports.

17. (SBU) Responsible Officers: The following are the Embassy officers responsible for mandated annual reporting:

Antigua and Barbuda, St. Kitts and Nevis reports (all): Rick Switzer; Barbados, Saint Vincent and the Grenadines reports (all): Jamal Al-Mussawi; Dominica, St. Lucia reports (all): D.R. Seckinger; Grenada reports (all): Bernard Link; INCSR reports: Al Razick; Child Labor reports: Jake Aller

18. (SBU) We thank the Department again for the opportunity to contribute to this discussion, and look forward to working with the OIG and others to improve the current structure.
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